



CITY OF ST. MARYS
418 OSBORNE STREET
ST. MARYS, GEORGIA 31558

MINUTES for PUBLIC HEARING and REGULAR MEETING

St. Marys, Planning Commission
Wednesday, October 26, 2011
Ward L Hernandez Building

PUBLIC HEARING

The meeting was called to order at 5:30PM.

The following committee members were present: Royal Weaver, Charlotte Bartzack, Arlene Norris, Doug Cooper and Larry Johnson.

Roger Weaver & Michele Wood represented the Planning Department.

The following items were heard in Public Session at a Public Hearing held Wednesday, October 26, 2011 at 5:30 PM at the Ward L Hernandez Building, 400 Osborne Street, St. Marys, GA 31558.

- A. SPECIAL USE PERMIT** – Win Big Enterprises, PO Box 11327, Jacksonville, FL 32277 is requesting Special Use permit to conduct an Internet Sweepstakes Café in St. Marys at 119 City Smitty Drive. The property is zoned C-2. Tax Parcel 135-087B.

Ray Albert presented his request to the Planning Commission. Mr. Albert has submitted an application for an Internet Sweepstakes Café and is requesting a Special Use permit. Roger Weaver explained to the Planning Commission that in July of 2011 City Council had approved the Electronic Games Promotion Ordinance and as part of the Ordinance requirements, the applicant is required to receive a Special Use permit. There were no questions or comments from the public.

- B. SPECIAL USE PERMIT** – Farouk Huraira, 5053 Top Royal Lane,, Jacksonville, FL 32277 is requesting Special Use permit to conduct an Internet Sweepstakes Café in St. Marys at 765-B Kings Bay Road. The property is zoned C-2. Tax Parcel 121-058B.

Ray Albert presented the request to the Planning Commission on behalf of Farouk Huraira. The applicant is requesting a Special Use permit as required under the Electronic Games Promotion Ordinance. There were no questions or comments from the public.

- C. REVERSE SUBDIVISION:** Barbara Sparks, 411 Cove Drive, Holland, OH 43528 is requesting approval for a two lot to one lot minor final plat, located at 119 & 121 Tattnal Lane known as tax parcels 160C-0578 & 160C-579. The property is zoned PD R-1.

John Cotner presented the request to the Planning Commission on behalf of Ms. Sparks. Mr. Cotner also submitted a letter from Joe Gregory of the Cumberland Harbour Design Review Board stating the board's approval of the combining of lots 578 and 579 and the placement of the house on the lots.

Phillip Jones, property owner of a lot across the street from the Sparks, expressed his appreciation to the property owner and Roger Weaver for taking time to listen and coming to a positive resolution in regard to placement of the Sparks house not compromising the waterfront view from his property. Mr. Jones suggested the Planning Commission consider revising the ordinance in regard to view scape for non-water view lots. There were no other comments or questions from the public.

- D. VARIANCE:** Edward Nuzum, 20 Marchi Drive, St. Marys, GA 31558 is requesting a variance to replace a dilapidated manufactured home located at 300 Miller Drive, in R-1 zoning, with a new manufactured home. The Planning Commission denied this request at the July 26, 2011 meeting. Mr. Nuzum appealed the request to City Council. City Council voted on

October 3, 2011 to send this request back to the Planning Commission with the new information submitted to be reviewed at the October 25, 2011 Planning Commission meeting. Tax Parcel S17-08-002.

Attorney Jim Stein spoke on behalf of the applicant. Mr. Stein shared that at the October 3, 2011 City Council meeting the City Council members were presented with new information regarding Mr. Nuzum's request and City Council agreed the request should go back to the Planning Commission to allow the new information to be heard in public session. Mr. Stein stated the industry has changed and there needs to be a more definitive definition for manufactured housing and modular homes. Mr. Stein stated a permanent foundation makes it the same as a modular home and requested the request for the manufactured/modular home be approved with a permanent foundation.

Roger Weaver shared that new information submitted showed a rezoning request was made in 1980 which would allow a manufactured home at this location. However, the application was denied. In 1980, the property owner made a request to City Council to allow the manufactured home if the property owner built a concrete foundation around the structure. One of the City Council members requested Council wait until a building inspector was hired. Mayor Douglas had requested they consider the matter at a later date. The minutes were silent from that point on. Mr. Weaver stated obviously the request was approved since the manufactured home was placed on the lot.

There were no comments or questions from the public.

Motion to Adjourn Public Hearing - Motion was made by Royal Weaver to adjourn the Public Hearing. Doug Cooper seconded the motion. Voting was unanimous in favor of the motion.

REGULAR MEETING

Approval of Minutes of September 27, 2011 Meeting – Doug Cooper made a motion to approve the minutes as submitted. Arlene Norris seconded the motion. Voting was unanimous in favor of the motion.

Old Business -

- A. **VARIANCE:** Edward Nuzum, 20 Marchi Drive, St. Marys, GA 31558 is requesting a variance to replace a dilapidated manufactured home located at 300 Miller Drive, in R-1 zoning, with a new manufactured home. The Planning Commission denied this request at the July 26, 2011 meeting. Mr. Nuzum appealed the request to City Council. City Council voted on October 3, 2011 to send this request back to the Planning Commission with the new information submitted to be reviewed at the October 25, 2011 Planning Commission meeting. Tax Parcel S17-08-002.

A motion was made by Doug Cooper to approve the request for discussion. Second by Charlotte Bartzack.

The Planning Commission members made the following statements:

- *Royal Weaver – With the foundation placed around the structure, Mr. Weaver felt there was no issue. It would be the same as a house.*
- *Doug Cooper – Mr. Cooper felt the records were sketchy. It appeared something had to have been approved with the placement of the manufactured home and the records not reflecting any further negative comments from adjacent property owners.*
- *Charlotte Bartzack – Charlotte stated her understanding of a manufactured and modular home were synonymous. She questioned whether the permit was ever issued in 1981. We presume the permit was issued.*
- *Larry Johnson – Larry discussed the ordinance regarding grandfathering and how the requirements would apply to the property owner. However, with photos submitted showing a manufactured home allowed in St. Marys in 2000 with a full foundation in R-1 zone, the Planning Commission had no decision to make. The City had already made the decision by allowing previous approval for another property.*

Doug Cooper made a motion to withdraw the motion due to approval not being required by the Planning Commission. Second by Charlotte Bartzack. Voting was unanimous in favor of the motion.

New Business

- A. **SPECIAL USE PERMIT** – Win Big Enterprises, PO Box 11327, Jacksonville, FL 32277 is requesting Special Use permit to conduct an Internet Sweepstakes Café in St. Marys at 119 City Smitty Drive. The property is zoned C-2. Tax Parcel 135-087B.

Charlotte Bartzack made a motion to approve the request for City Council approval. Second by Arlene Norris. . Voting was unanimous in favor of the motion.

- B. SPECIAL USE PERMIT** – Farouk Huraira, 5053 Top Royal Lane,, Jacksonville, FL 32277 is requesting Special Use permit to conduct an Internet Sweepstakes Café in St. Marys at 765-B Kings Bay Road. The property is zoned C-2. Tax Parcel 121-058B.

Doug Cooper made a motion to approve the request for City Council approval. Second by Arlene Norris. Voting was unanimous in favor of the motion.

- C. REVERSE SUBDIVISION:** Barbara Sparks, 411 Cove Drive, Holland, OH 43528 is requesting approval for a two lot to one lot minor final plat, located at 119 & 121 Tattnal Lane known as tax parcels 160C-0578 & 160C-579. The property is zoned PD R-1.

Charlotte Bartzack made a motion to approve the request for Council approval. Second by Royal Weaver. Voting was unanimous in favor of the motion.

Granting Audience to the Public: No Comments.

Motion to Adjourn Regular Meeting – *Doug Cooper made a motion to adjourn the regular meeting. Royal Weaver seconded the motion. Voting was unanimous in favor of the motion. The meeting adjourned at 6:30PM.*